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Accordingly,

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Steger's findings of fact, conclusions of law, and recommendations (Doc. 3);
- Plaintiff's Complaint (Doc. 2) is **DISMISSED WITHOUT PREJUDICE**; and
- Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Doc. 1) is **DENIED AS MOOT**.

**SO ORDERED** this 5<sup>th</sup> day of February, 2016.

/s/ Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE